

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN THE MATTER OF

ANDY LOPEZ, SR.
DEBORAH A LOPEZ,

DEBTORS

IN PROCEEDINGS
UNDER CHAPTER 13

NO. 19-29542
JUDGE: Hollis

OBJECTION TO CONFIRMATION OF THE PLAN

NOW COMES the Movant, MidFirst Bank, by and through its attorneys, Shapiro Kreisman & Associates, LLC, and states as follows:

1. This case was filed on October 17, 2019. On October 17, 2019 Debtors filed a plan.
2. Movant, a secured party in interest, holds a note (or services a loan) secured by a mortgage on the real property located at 2113 Alpine Way, Plainfield, IL 60586 dated March 1, 2001.
3. The pre-petition arrearages due the Movant total \$20,735.25.
4. The Debtors' plan provides that the Trustee is to pay the Movant \$17,000.00 as and for its arrearage claim.
5. The proposed plan impermissibly modifies the rights of Movant to receive all funds due it, thereby violating 11 U.S.C. §1322(b)(2) and 11 U.S.C. §1322 (b)(5).
6. The plan provides for total funding of \$57,000.00 over its term with estimated payments to the Trustee of \$57,000.00. As the arrears are understated by \$3,735.25, the plan is underfunded and unfeasible on its face.
7. Such violations render the plan unconfirmable as a matter of law.

for such other relief as the Court deems just.

Respectfully submitted,

/s/ Michael N. Burke
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The firm of Shapiro Kreisman & Associates, LLC is a debt collector. This is an attempt to collect a debt. Any information may be used for that purpose. If your personal liability for this debt has been extinguished, discharged in bankruptcy or if a court order prohibits collecting this debt from you personally, then this is an attempt to enforce the Movant's rights with respect to the property addressed herein, and it is not an attempt to collect the debt from you personally.